



Rep. Sara Feigenholtz

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LRB099 18345 SMS 46483 a

1 AMENDMENT TO HOUSE BILL 4671

2 AMENDMENT NO. _____. Amend House Bill 4671 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Animal Control Act is amended by changing
5 Sections 3, 8, 11, and 13 as follows:

6 (510 ILCS 5/3) (from Ch. 8, par. 353)

7 Sec. 3. The County Board Chairman with the consent of the
8 County Board shall appoint an Administrator. Appointments
9 shall be made as necessary to keep this position filled at all
10 times. The Administrator may appoint as many Deputy
11 Administrators and Animal Control Wardens to aid him or her as
12 authorized by the Board. The compensation for the
13 Administrator, Deputy Administrators, and Animal Control
14 Wardens shall be fixed by the Board. The Administrator may be
15 removed from office by the County Board Chairman, with the
16 consent of the County Board.

1 The Board shall provide necessary personnel, training,
2 equipment, supplies, and facilities, and shall operate pounds
3 or contract for their operation as necessary to effectuate the
4 program. The Board may enter into contracts or agreements with
5 persons to assist in the operation of the program and may
6 establish a county animal population control program.

7 The Board shall be empowered to utilize monies from their
8 General Corporate Fund to effectuate the intent of this Act.

9 The Board is authorized by ordinance to require the
10 registration and may require microchipping of dogs and cats.
11 The Board shall impose an individual dog or cat registration
12 fee with a minimum differential of \$10 for intact dogs or cats.
13 Ten dollars of the differential shall be placed either in a
14 county animal population control fund or in the State's Pet
15 Population Control Fund. If the money is placed in the county
16 animal population control fund it shall be used ~~to~~ (i) to spay,
17 neuter, or sterilize adopted dogs or cats or (ii) for any
18 allowable purpose provided for in Section 25 of the Illinois
19 Public Health and Safety Animal Population Control Act. The
20 registration fee does not apply to feral cats ~~spay or neuter~~
21 ~~dogs or cats owned by low income county residents who are~~
22 ~~eligible for the Food Stamp Program.~~ All persons selling dogs
23 or cats or keeping registries of dogs or cats shall cooperate
24 and provide information to the Administrator as required by
25 Board ordinance, including sales, number of litters, and
26 ownership of dogs and cats. If microchips are required, the

1 microchip number may serve as the county animal control
2 registration number.

3 In obtaining information required to implement this Act,
4 the Department shall have power to subpoena and bring before it
5 any person in this State and to take testimony either orally or
6 by deposition, or both, with the same fees and mileage and in
7 the same manner as prescribed by law for civil cases in courts
8 of this State.

9 The Director shall have power to administer oaths to
10 witnesses at any hearing which the Department is authorized by
11 law to conduct, and any other oaths required or authorized in
12 any Act administered by the Department.

13 ~~This Section does not apply to feral cats.~~

14 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

15 (510 ILCS 5/8) (from Ch. 8, par. 358)

16 Sec. 8. Every owner of a dog 4 months or more of age shall
17 have each dog inoculated against rabies by a licensed
18 veterinarian. Every dog shall have a second rabies vaccination
19 within one year of the first. Terms of subsequent vaccine
20 administration and duration of immunity must be in compliance
21 with USDA licenses of vaccines used. Evidence of a ~~such~~ rabies
22 inoculation administered to any dog, cat, or ferret shall be
23 entered on a certificate the form of which shall be approved by
24 the Board and which shall contain the microchip number of the
25 animal if it has one and which shall be signed by the licensed

1 veterinarian administering the vaccine. Veterinarians who
2 inoculate a dog shall procure from the County Animal Control in
3 the county where their office is located serially numbered
4 tags, one to be issued with each inoculation certificate. Only
5 one dog, cat, or ferret shall be included on each certificate.
6 The veterinarian immunizing against rabies or microchipping an
7 animal shall provide the Administrator of the county in which
8 the animal resides with a certificate of immunization and
9 microchip number. The Board shall cause a rabies inoculation
10 tag to be issued, at a fee established by the Board for each
11 dog inoculated against rabies.

12 Rabies vaccine for use on animals shall be sold or
13 distributed only to and used only by licensed veterinarians.
14 Such rabies vaccine shall be licensed by the United States
15 Department of Agriculture.

16 If a licensed veterinarian determines in writing that a
17 rabies inoculation would compromise an animal's health, then
18 the animal shall be exempt from the rabies shot requirement,
19 but the owner must still be responsible for the fees.

20 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

21 (510 ILCS 5/11) (from Ch. 8, par. 361)

22 Sec. 11. When not redeemed by the owner, agent, or
23 caretaker, a dog or cat must be scanned for a microchip. If a
24 microchip is present, the registered owner must be notified.
25 After contact has been made or attempted, dogs or cats deemed

1 adoptable by the animal control facility shall be offered for
2 adoption, or made available to a licensed humane society or
3 rescue group. If no placement is available, the dog or cat may
4 ~~it shall~~ be humanely dispatched pursuant to the Humane
5 Euthanasia in Animal Shelters Act. Nothing in this Act shall be
6 construed or interpreted to place a limitation on the time
7 frame that an animal pound or animal shelter may humanely house
8 an animal prior to placement. An animal pound or animal shelter
9 shall not adopt or release any dog or cat to anyone other than
10 the owner unless the animal has been rendered incapable of
11 reproduction and microchipped, or the person wishing to adopt
12 an animal prior to the surgical procedures having been
13 performed shall have executed a written agreement promising to
14 have such service performed, including microchipping, within a
15 specified period of time not to exceed 30 days. Failure to
16 fulfill the terms of the agreement shall result in seizure and
17 impoundment of the animal and any offspring by the animal pound
18 or shelter, and any monies which have been deposited shall be
19 forfeited and submitted to the Pet Population Control Fund on a
20 yearly basis. This Act shall not prevent humane societies from
21 engaging in activities set forth by their charters; provided,
22 they are not inconsistent with provisions of this Act and other
23 existing laws. No animal shelter or animal control facility
24 shall release dogs or cats to an individual representing a
25 rescue group, unless the group has been licensed or has a
26 foster care permit issued by the Illinois Department of

1 Agriculture or is a representative of a not-for-profit
2 out-of-state organization. The Department may suspend or
3 revoke the license of any animal shelter or animal control
4 facility that fails to comply with the requirements set forth
5 in this Section or that fails to report its intake and
6 euthanasia statistics each year.

7 (Source: P.A. 94-639, eff. 8-22-05; 95-550, eff. 6-1-08.)

8 (510 ILCS 5/13) (from Ch. 8, par. 363)

9 Sec. 13. Dog or other animal bites; observation of animal.

10 (a) Except as otherwise provided in subsection (b) of this
11 Section, when the Administrator or, if the Administrator is not
12 a veterinarian, the Deputy Administrator receives information
13 that any person has been bitten by an animal, the Administrator
14 or, if the Administrator is not a veterinarian, the Deputy
15 Administrator, or his or her authorized representative, shall
16 have such dog or other animal confined under the observation of
17 a licensed veterinarian. Such confinement shall be for a period
18 of not less than 10 days from the date the bite occurred and
19 shall continue until the animal has been examined by a licensed
20 veterinarian ~~for a period of 10 days~~. The Department may permit
21 such confinement to be reduced to a period of less than 10
22 days. A veterinarian shall report the clinical condition of the
23 animal immediately, with confirmation in writing to the
24 Administrator or, if the Administrator is not a veterinarian,
25 the Deputy Administrator within 24 hours after the animal is

1 presented for examination, giving the owner's name, address,
2 the date of confinement, the species, ~~the~~ breed, description,
3 age, and sex of the animal, and whether the animal has been
4 spayed or neutered, on appropriate forms approved by the
5 Department. The Administrator or, if the Administrator is not a
6 veterinarian, the Deputy Administrator shall notify the
7 attending physician or responsible health agency. At the end of
8 the confinement period, the animal shall be examined by a
9 licensed veterinarian and microchipped, if not already, at the
10 expense of the owner. The veterinarian shall submit a written
11 report to the Administrator or, if the Administrator is not a
12 veterinarian, the Deputy Administrator advising him or her of
13 the clinical condition and the final disposition of the animal
14 on appropriate forms approved by the Department. When evidence
15 is presented that the animal was inoculated against rabies
16 within the time prescribed by law, it ~~may shall~~ be confined in
17 a house, or in a manner which will prohibit it from biting any
18 person for a period of not less than 10 days from the date the
19 bite occurred, if the Administrator, Deputy Administrator, or
20 his or her authorized representative ~~a licensed veterinarian~~
21 adjudges such confinement satisfactory. The Department may
22 permit such confinement to be reduced to a period of less than
23 10 days. At the end of the confinement period, the animal shall
24 be examined by a licensed veterinarian and microchipped, if not
25 already, at the expense of the owner.

26 Any person having knowledge that any person has been bitten

1 by an animal shall notify the Administrator or, if the
2 Administrator is not a veterinarian, the Deputy Administrator
3 promptly. It is unlawful for the owner of the animal to conceal
4 the whereabouts, euthanize, sell, give away, or otherwise
5 dispose of any animal known to have bitten a person, until it
6 is released by the Administrator or, if the Administrator is
7 not a veterinarian, the Deputy Administrator, or his or her
8 authorized representative. It is unlawful for the owner of the
9 animal to refuse or fail to comply with the reasonable written
10 or printed instructions made by the Administrator or, if the
11 Administrator is not a veterinarian, the Deputy Administrator,
12 or his authorized representative. If such instructions cannot
13 be delivered in person, they shall be mailed to the owner of
14 the animal by regular mail. Any expense incurred in the
15 handling of an animal under this Section and Section 12 shall
16 be borne by the owner. The owner of a biting animal must also
17 remit to the Department of Public Health, for deposit into the
18 Pet Population Control Fund, a \$25 public safety fine within 30
19 days after notice.

20 (b) When a person has been bitten by a police dog that is
21 currently vaccinated against rabies, the police dog may
22 continue to perform its duties for the peace officer or law
23 enforcement agency and any period of observation of the police
24 dog may be under the supervision of a peace officer. The
25 supervision shall consist of the dog being locked in a kennel,
26 performing its official duties in a police vehicle, or

1 remaining under the constant supervision of its police handler.

2 (c) When a person has been bitten by a search and rescue
3 dog that is currently vaccinated against rabies, the search and
4 rescue dog may continue to perform its duties for the handler
5 or owner or agency and any period of observation of the dog may
6 be under the supervision of its handler or owner. The
7 supervision shall consist of the dog being locked in a kennel,
8 performing its official duties in a vehicle, or remaining under
9 the constant supervision of its handler or owner.

10 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

11 Section 10. The Illinois Public Health and Safety Animal
12 Population Control Act is amended by changing Section 25 as
13 follows:

14 (510 ILCS 92/25)

15 Sec. 25. Eligibility to participate. A resident of the
16 State who owns a dog or cat and who is eligible for any
17 government assistance, including the Food Stamp Program or the
18 Social Security Disability Insurance Benefits Program, shall
19 be eligible to participate in the program at a reduced rate if
20 the owner signs a consent form certifying that he or she is the
21 owner of the dog or cat or is authorized by the eligible owner
22 to present the dog or cat for the procedure. An owner must
23 submit proof of eligibility to the Department. Upon approval,
24 the Department shall furnish an eligible owner with an

1 eligibility voucher to be presented to a participating
2 veterinarian. An animal control facility, animal shelter,
3 organization, or A resident of this State who ~~is managing a~~
4 ~~feral cat colony and who~~ humanely traps feral cats for spaying
5 or neutering and return is eligible to participate in the
6 program ~~if provided the trap, sterilize, and return program is~~
7 recognized by the municipality or by the county, if it is
8 located in an unincorporated area. The sterilization shall be
9 performed by a voluntarily participating veterinarian or
10 veterinary student under the supervision of a veterinarian. The
11 co-payment for the cat or dog sterilization procedure and
12 vaccinations shall be \$15.

13 (Source: P.A. 94-639, eff. 8-22-05.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.".